

1 GLENN F. MEIER, ESQ.
2 Nevada Bar No. 6059
3 E-mail: gmeier@nevadafirm.com
4 RACHEL E. DONN, ESQ.
5 Nevada Bar No. 10568
6 E-mail: rdonn@nevadafirm.com
7 HOLLEY DRIGGS WALCH
8 FINE WRAY PUZEY & THOMPSON
9 400 South Fourth Street, Third Floor
10 Las Vegas, Nevada 89101
11 Telephone: 702/791-0308
12 Facsimile: 702/791-1912
13 *Attorneys for Defendant*
14 **FEDERAL NATIONAL MORTGAGE ASSOCIATION**

15
16 **UNITED STATES DISTRICT COURT**

17
18 **FOR THE DISTRICT OF NEVADA**

19
20 THE BANK OF NEW YORK MELLON FKA
21 THE BANK OF NEW YORK, AS TRUSTEE
22 FOR THE CERTIFICATE HOLDERS OF
23 CWALT, INC. ALTERNATIVE LOAN TRUST
24 2005-23CB MORTGAGE PASS- THROUGH
25 CERTIFICATES, SERIES 2005- 23CB,

26 Plaintiff,

27 v.

28 TAYLOR WALES; FIRST CALIFORNIA
1 MORTGAGE COMPANY; FEDERAL
2 NATIONAL MORTGAGE ASSOCIATION;
3 LOS PRADOS COMMUNITY
4 ASSOCIATION,

5 Defendants.

6 Case No.: 2:17-cv-02896-JCM-GWF
7 Hon. JAMES C. MAHAN

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9 **STIPULATION TO EXTEND THE**
10 **DISCOVERY PLAN AND SCHEDULING**
11 **ORDER; ~~[PROPOSED]~~ ORDER**

12
13 **[FIRST REQUEST]**

14 Pursuant to LR 6-1 and LR 26-4, the parties by and through their respective counsel of
15 record, hereby stipulate and request that this Court extend the Discovery deadlines in the above-
16 captioned case for 30 days. This is the parties first request for an extension. In support of this
17 Stipulation and Request, the parties state as follows:
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1 **A. DISCOVERY COMPLETED TO DATE:**

2 Initial discovery exchanges have been made between the parties and additional discovery
3 responses remains outstanding at this time.

4 **B. DISCOVERY REMAINING TO BE COMPLETED**

5 Discovery that remains between the parties are discovery responses to interrogatories,
6 requests for production of documents and requests for admissions, disclosure of experts and
7 depositions. The parties reserve the right to conduct additional discovery as deemed necessary.

8 **C. REASON FOR REQUEST FOR EXTENSION OF DISCOVERY DEADLINES.**

9 The parties request a 30-day extension as this matter was recently tendered to insurer and
10 counsel of Defendant Federal National Mortgage Association (“FNMA”) has just been substituted
11 into the matter as of July 31, 2018. Further, FNMA responsive pleading were only just due August
12 23, 2018. The purpose of this extension is not for delay.

13 **D. PROPOSED SCHEDULE:**

14 **5.** The discovery cut-off will be moved from its current date of October 22, 2018 and
15 will be continued to **Wednesday, November 21, 2018.**

16 **5B.** FRCP 26(a)(2) Disclosures of Experts are currently due August 23, 2018 and will
17 be continued to **Friday, September 21, 2018.** The Rebuttal Expert Disclosure is currently due
18 September 24, 2018 and will be continued to **Wednesday, October 24, 2018.**

19 **5C.** The Interim Status Report is currently due August 23, 2018 and will be continued
20 to **Friday, September 21, 2018.**

21 **5D.** Dispositive Motions are currently due November 21, 2018 and will be continued to
22 **Friday, December 21, 2018.**

23 **5E.** The Pre-Trial Order is currently due December 21, 2018 and will be continued to
24 **Tuesday January 22, 2019.**

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HOLLEY·DRUGGS·WALUCH

1 **5G.** Extensions or Modifications of the Discovery Plan and Scheduling Order is
2 currently due October 1, 2018 and will be continued to **Wednesday, October 31, 2018.**

3 Additionally, the parties have agreed to allow Defendant Taylor Wales seven days from
4 the entry of the Court's Order approving the Stipulation to Extend the Discovery Plan and
5 Scheduling Order (First Request) to file his third-party complaint.

6 All other dates as provided in this Court's May 22, 2018 Discovery Plan and Scheduling
7 Order will remain the same.

8 Dated this 22nd day of August, 2018

9 Dated this 22nd day of August, 2018

10 HOLLEY DRIGGS WALCH FINE
11 WRAY PUZEY & THOMPSON

12 AKERMAN LLP

13 By:/s/ Rachel E. Donn, Esq.
14 Glenn F. Meier, Esq.
15 Nevada Bar No. 6059
16 Rachel E. Donn, ESQ.
17 Nevada Bar No. 010568
18 Las Vegas, Nevada 89128
19 2300 West Sahara Avenue, Suite 1150
20 Las Vegas, Nevada 89102
21 Attorneys for Defendant
22 Federal National Mortgage Association

23 By:/s/ Tenesa S. Powell, Esq.
24 Ariel Stern, Esq. (8276)
25 Tenesa S. Powell, Esq. (12488)
26 1635 Village Center Circle, Ste. 200
27 Las Vegas, NV 89134
28 T: (702) 634-5000
29 Attorneys for Plaintiff - The Bank of
30 New York Mellon fka The Bank of New
31 York as Trustee for the
32 Certificateholders of CWALT, Inc.
33 Alternative Loan Trust 2005-23CB
34 Mortgage Pass Through Certificates
35 Series 2005-23CB

36 Dated this 22nd day of August, 2018

37 Dated this 22nd day of August, 2018

38 MARQUIS AURBACH COFFING

39 SPRINGEL & FINK

40 By:/s/ Michael D. Maupin, Esq.
41 Jack J. Juan, Esq. (6367)
42 Michael David Maupin, Esq. (13721)
43 1001 Park Run Drive
44 Las Vegas, NV 89130
45 T: (702) 942-2177
46 Attorneys for Defendant Los Prados
47 Community Association

48 By:/s/ Michael A. Arata, Esq.
49 Adam H. Springel, Esq. (7187)
50 Michael A. Arata, Esq. (11902)
51 10655 Park Run Drive, Suite 275
52 Las Vegas, NV 89144
53 T: (804) 0706
54 Attorneys for Defendant Taylor Wales

1 Dated this 22nd day of August, 2018
2
3

HOUSER & ALLISON

4 By: */s/ Jeffrey S. Allison, Esq.*

5 Jeffrey S. Allison, Esq. (Cal Bar #8949)
6 9970 Research Drive
7 Irvine, CA 92618
8 T: (949) 679-1111
Attorney for Defendant
First California Mortgage Company
erroneously named herein, its successors
and assigns

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11 **ORDER**
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14 IT IS SO ORDERED.
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Dated: August 23, 2018


16 UNITED STATES MAGISTRATE JUDGE
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HDW |
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